

1 BEFORE THE
2 ILLINOIS COMMERCE COMMISSION

3 ILLINOIS COMMERCE COMMISSION) DOCKET NO.
4 On Its Own Motion) 02-0713
5 -vs-)
6 MT. CARMEL PUBLIC UTILITY COMPANY)
7)
8 Reconciliation of revenues)
9 collected under fuel adjustment)
10 charges with actual costs)
11 prudently incurred.)

12)
13)
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21)
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 Springfield, Illinois
 September 25, 2003

Met, pursuant to notice, at 9:30 A.M.

BEFORE:

MR. JOHN ALBERS, Administrative Law Judge

APPEARANCES:

MR. ERIC BRAMLET
Koger & Bramlet, P.C.
316-1/2 Market Street
P.O. Box 278
Mt. Carmel, Illinois 62863-0220

(Appearing on behalf of Mt. Carmel Public
Utility Company via teleconference)

SULLIVAN REPORTING COMPANY, by
Cheryl A. Davis, Reporter, CSR License #084-001662

APPEARANCES:

(Cont'd)

MS. BONITA PEARCE
527 East Capitol Avenue
Springfield, Illinois 62701

(Appearing on behalf of the Staff of the
Accounting Department, Financial
Analysis Division, Illinois Commerce
Commission)

MR. JAMES D. SPENCER
527 East Capitol Avenue
Springfield, Illinois 62701

(Appearing on behalf of the Staff of the
Energy Division of the Illinois
Commerce Commission)

I N D E X

WITNESSES	DIRECT	CROSS	REDIRECT	RECROSS
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PHILIP BARNHARD IV				
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By Mr. Bramlet	12			
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By Judge Albers		15		
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EXHIBITS	MARKED	ADMITTED
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Mt. Carmel 1.0	e-Docket	14
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Mt. Carmel 2.0	10	15
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Staff 1	e-Docket	17
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Staff 2	e-Docket	18
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1 PROCEEDINGS

2 (Whereupon prior to the hearing
3 Mt. Carmel Exhibit 2.0 was marked for
4 identification.)

5 JUDGE ALBERS: By the authority vested in me by
6 the Illinois Commerce Commission, I now call Docket
7 Number 02-0713. This docket was initiated by the
8 Commission On Its Own Motion against Mt. Carmel
9 Public Utility Company for the purpose of
10 reconciling revenues collected under the fuel
11 adjustment charges with actual costs prudently
12 incurred.

13 May I have the appearances for the
14 record, please.

15 MR. BRAMLET: Appearing on behalf of Mt. Carmel
16 Public Utility Company, my name is Eric Bramlet. My
17 mailing address is Post Office Box 278, Mt. Carmel,
18 Illinois 62863. My telephone number is area code
19 618/263-3502.

20 MS. PEARCE: Appearing on behalf of the
21 Accounting Department of the Financial Analysis
22 Division of the Illinois Commerce Commission, my

1 name is Bonita A. Pearce. My business address is
2 527 East Capitol Avenue, Springfield, Illinois
3 62701, telephone number area code (217)785-5443.

4 MR. SPENCER: And appearing on behalf of the
5 Energy Division of the Illinois Commerce Commission,
6 my name is James D. Spencer, 527 East Capitol
7 Avenue, Springfield, Illinois 62701. My phone
8 number is 217/782-6311.

9 JUDGE ALBERS: Thank you.

10 Let the record reflect that there are no
11 others wishing to enter an appearance.

12 The purpose of today's hearing is to
13 admit into evidence previously submitted testimony.
14 It's my understanding that there are no contested
15 issues in this docket. I will simply be admitting
16 the testimony without cross, but certainly if
17 someone has clarifying questions, please speak up.

18 Mr. Bramlet, is Mr. Barnhard there with
19 you?

20 MR. BRAMLET: Yes, he is.

21 JUDGE ALBERS: Okay. I'm going to go ahead and
22 swear him in as well as the two Staff witnesses, so,

1 Mr. Barnhard, could you please stand and raise your
2 right hand.

3 MR. BARNHARD: I have done so.

4 JUDGE ALBERS: All right. Thank you.

5 (Whereupon the witnesses were sworn by
6 Judge Albers.)

7 JUDGE ALBERS: All right. Thank you.

8 Mr. Bramlet, if you'd like to introduce
9 your witness.

10 MR. BRAMLET: Thank you, Mr. Albers.

11 PHILIP BARNHARD, IV
12 called as a witness on behalf of Mt. Carmel Public
13 Utility Company, having been first duly sworn, was
14 examined and testified telephonically as follows:

15 DIRECT EXAMINATION

16 BY MR. BRAMLET:

17 **Q.** Mr. Barnhard, would you please state your full
18 name and business address for the record?

19 THE WITNESS:

20 **A.** My name is Philip Barnhard IV. My business
21 address is 316 Market Street, P.O. Box 220,
22 Mt. Carmel, Illinois 62863. My telephone is

1 618/262-5151.

2 Q. Mr. Barnhard, have you caused written direct
3 testimony to be prepared and filed in this docket?

4 A. I have.

5 Q. Do you have before you a copy of your direct
6 testimony?

7 A. I do.

8 Q. Does it include Exhibits E-2 and E-2 along with
9 the auditor's report by Deloitte & Touche?

10 A. It does.

11 Q. And has it been marked as Mt. Carmel Exhibit
12 1.0?

13 A. It is so marked.

14 Q. And you prepared this exhibit?

15 A. I did.

16 Q. Is the information contained in Exhibit 1.0
17 true and correct to the best of your knowledge and
18 belief?

19 A. It is indeed.

20 MR. BRAMLET: Mr. Albers, we would move for
21 admission into evidence of Mt. Carmel Exhibit 1.0.

22 JUDGE ALBERS: Is there any objection?

1 MS. PEARCE: None.

2 MR. SPENCER: No.

3 JUDGE ALBERS: Hearing none, then Mt. Carmel
4 Exhibit 1.0 is admitted.

5 (Whereupon Mt. Carmel Exhibit 1.0 was
6 received into evidence.)

7 MR. BRAMLET:

8 Q. Mr. Barnhard, you state in your testimony that
9 by the time of this hearing that public notice will
10 have been published in the newspapers of general
11 circulation and the territory of the company and
12 that notice will have been posted in a prominent
13 place in the company's offices. Is that correct?

14 A. That is correct.

15 Q. Do you have before you copies of the public
16 notices and publishers' certificates which have been
17 marked as Mt. Carmel Exhibit 2.0?

18 A. I do.

19 Q. Were these notices published in newspapers of
20 general circulation in the company's service
21 territory?

22 A. Yes.

1 **Q.** Was notice also posted in your company's
2 offices in a prominent place?

3 **A.** It was indeed.

4 MR. BRAMLET: Mr. Albers, we would move for
5 admission into evidence of Mt. Carmel Exhibit 2.0.

6 JUDGE ALBERS: Any objection? Hearing none,
7 then Mt. Carmel Exhibit 2.0 is admitted.

8 (Whereupon Mt. Carmel Exhibit 2.0 was
9 received into evidence.)

10 MR. BRAMLET: And we would tender Mr. Barnhard
11 for any cross-examination.

12 JUDGE ALBERS: Are there any questions at all?

13 MS. PEARCE: No.

14 JUDGE ALBERS: Just one clarifying question
15 from myself, Mr. Barnhard.

16 EXAMINATION

17 BY JUDGE ALBERS:

18 **Q.** Just so I'm clear, there was an over-recovery
19 of \$754, but is it your intention to simply roll
20 that into next year?

21 **A.** That's correct.

22 JUDGE ALBERS: Okay. I just wanted to make

1 sure I was clear. Thank you.

2 Does Mt. Carmel have anything else to
3 add?

4 MR. BRAMLET: We have nothing at this time.

5 JUDGE ALBERS: All right. Thank you.

6 (Witness excused.)

7 Turning to the Staff then, Ms. Pearce,
8 have you previously submitted testimony in this
9 proceeding?

10 MS. PEARCE: Yes, I have.

11 JUDGE ALBERS: And you have testimony of four
12 pages in length. If you were asked -- or rather
13 three pages. If you were asked the same questions
14 today, would you give the same answers?

15 MS. PEARCE: Yes, I would.

16 JUDGE ALBERS: And it's your recommendation
17 that the proposed reconciliation be approved?

18 MS. PEARCE: Yes.

19 JUDGE ALBERS: All right, and is it your
20 intention to have what's marked as Staff Exhibit 1
21 be admitted into the record?

22 MS. PEARCE: Yes.

1 JUDGE ALBERS: Mr. Bramlet, do you have any
2 objection to that exhibit?

3 MR. BRAMLET: No, Your Honor.

4 JUDGE ALBERS: Staff Exhibit 1 is admitted.

5 (Whereupon Staff Exhibit 1 was received
6 into evidence.)

7 Did you have any questions for
8 Ms. Pearce?

9 MR. BRAMLET: I do not have, no.

10 JUDGE ALBERS: Okay. I don't have any either.
11 Thank you, Ms. Pearce.

12 MS. PEARCE: Thank you.

13 JUDGE ALBERS: And turning to Mr. Spencer,
14 Mr. Spencer, did you submit two pages of testimony
15 in this proceeding?

16 MR. SPENCER: Yes, I did.

17 JUDGE ALBERS: And if asked the same questions
18 today, would you give the same answers?

19 MR. SPENCER: Yes, I would.

20 JUDGE ALBERS: And it's your recommendation as
21 well that the proposed reconciliation be approved?

22 MR. SPENCER: Yes.

1 JUDGE ALBERS: And is it your intent that
2 what's been marked as Staff Exhibit 2, your
3 testimony, be admitted into the record at this
4 time?

5 MR. SPENCER: Yes.

6 JUDGE ALBERS: Mr. Bramlet, do you have any
7 objection?

8 MR. BRAMLET: No, Your Honor.

9 JUDGE ALBERS: Very well. Then Staff Exhibit 2
10 is admitted.

11 (Whereupon Staff Exhibit 2 was received
12 into evidence.)

13 And do you have any questions for
14 Mr. Spencer?

15 MR. BRAMLET: No.

16 JUDGE ALBERS: All right.

17 I'm not aware of any other documents or
18 matters to take care of today on the record. Is the
19 Staff or the Company aware of anything else?

20 MR. SPENCER: No.

21 MR. BRAMLET: I am not, Your Honor.

22 JUDGE ALBERS: Okay. Okay. If there's nothing

1 further, then I will marked the record Heard and
2 Taken.

3 HEARD AND TAKEN

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